

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5747-2023

DATE OF DECISION: FEBRUARY 3, 2023

TARRI SINGH @ JAGTAR SINGH ...PETITIONER

VERSUS

STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MR. KULWINDER SINGH, ADVOCATE
FOR THE PETITIONER.

DEEPAK MANCHANDA, J.(ORAL)

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of impugned order dated 14.7.2022 (Annexure P-19), passed by the Judicial Magistrate Ist Class, Budhlada in case FIR No.81, dated 30.5.2019, under Section 452, 323, 506, 34 IPC, Police Station Boha, District Mansa vide which non-bailable warrants have been issued against the petitioner.

Learned counsel for the petitioner submits that challan was presented in the present case on 9.3.2021 and from February 2021 to October 2022, petitioner was not aware about the proceedings of the case, and remained outside the State being employed on the Combine machine in Madhya Pradesh. The certificate of the Panchayat is annexed as Annexure P-3. He further submits that the petitioner is ready to surrender before the trial Court.

Notice of motion.

On the asking of the Court, Mr. P.S. Grewal, DAG, Punjab

accepts notice on behalf of the State.

The perusal of the zimni orders annexed with the petition passed from time to time reveals that initially the notice could not be served to the petitioner and later on as per order dated 10.5.2022, same was served through mother of the petitioner. But again petitioner did not appear and bailable warrant was issued. Even thereafter, non-bailable warrants issued to the petitioner could not be served, which resulted into passing of order dated 14.7.2022 (Annexure P-19).

The sole object is to secure the presence of the petitioner, whereas the petitioner has submitted that he is ready to appear before the trial Court and in view of the same, the explanation for non-appearance has force and the same is accepted.

Keeping in view the same, the order dated 14.7.2022 (Annexure P-19) is set aside and the petitioner is directed to surrender before the trial Court within ten days from today and on doing so, the trial Court shall admit him on bail on his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court.

Petition is disposed of.

February 3, 2022
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No